

Decision 01-12-001

December 3, 2001

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the operations, practices, and conduct of Coral Communications, Inc. (Coral) and Michael Tinari, President of Coral; William Gallo, Senior Vice President of Coral; Devon Procella, Vice President of Sales and Operations of Coral; Neal Deleo, Vice President Finance and MIS of Coral to determine whether the corporation or its principals have operated within California without having a certificate to operate from the Commission and whether they have charged California subscribers for telecommunications services the subscribers never authorized.

Investigation 98-08-004  
(Filed August 6, 1998)

**ORDER CORRECTING CLERICAL ERROR**

The Commission has noted a nonsubstantive error in Decision (D.) 01-04-035, which was signed October 25, 2001. This order is necessary to correct the error.

Therefore, pursuant to the authority granted in Resolution A-4661, **IT IS ORDERED** that the last line of D.01-04-035 is changed from "Dated October 29, 2001, at San Francisco, California" to "Dated October 25, 2001, at San Francisco, California". A corrected version of page 6 of D.01-04-035 is attached to this order as an appendix.

This order is effective today.

Dated December 3, 2001 at San Francisco, California.

/s/ WESLEY M. FRANKLIN

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WESLEY M. FRANKLIN  
Executive Director

## **APPENDIX**

safeguard the rights of consumers and to enforce provisions of this article.” Returning funds unlawfully obtained via billing agents is the essence of safeguarding the rights of consumers. We read Section 2889.9(i) to grant this Commission jurisdiction to retrieve unlawfully obtained funds for California consumers. We reiterate our intention to broadly interpret this section and use this jurisdiction to require disgorgement of cramming-related funds from billing agents.

### **III. CONCLUSION**

Rehearing is granted for the purpose of vacating D.01-04-035 as it applies to OAN.

#### **IT IS THEREFORE ORDERED THAT:**

1. D.01-04-035 is vacated as it applies to OAN.
2. This proceeding is closed.

This order is effective today.

Dated October 25, 2001, at San Francisco, California.

LORETTA M. LYNCH  
President  
HENRY M. DUQUE  
RICHARD A. BILAS  
CARL W. WOOD  
GEOFFREY F. BROWN  
Commissioners